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him how to avoid the danger, though the danger is open to observation, but not understood by the employé.

An employer is not relieved of the duty of warning and instructing an inexperienced employé merely because the appliances with which to do the work are in perfect order, when the danger is not obvious. *Fletcher v. Hyde* (Ind.), 75 N. E. 9.

For cases in point, see vol. 34, Cent. Dig. Master and Servant, secs. 310, 314, 316½; *Jones v. O. D. Cotton Mills*, 82 Va. 140; *Moore v. Richardson*, 95 Va. 326; *Richmond Locomotive Works v. Ford*, 94 Va. 627; *N. & W. Ry. Co. v. Cromer*, 99 Va. 763; *Richmond v. Norment*, 84 Va. 167; *Richmond Granite Co. v. Bailey*, 92 Va. 554.

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EMINENT DOMAIN—PIPE LINES—PUBLIC USE.—A complaint to condemn a right of way for a water pipe line alleged that a certain creek from its source to its mouth contained large deposits of gravel containing gold in paying quantities; that, in order that the same might be mined and extracted, it was necessary to bring water in ditches, pipe lines, etc., from a distance as contemplated by plaintiff; that such deposits could not be profitably mined otherwise than with a large volume of water; and that it was necessary to enable plaintiff to convey its water to placer claims on the creek, there to be used for the purpose of supplying the owners of such claims with water, that plaintiff have a right of way across defendant's ground. *Held*, that such complaint was demurrable for failure to show a public need for plaintiff's proposed ditch or the right of way over defendant's ground.—*Miocene Ditch Co. v. Lyng* (C. C. A., Ninth Circuit), 138 Fed. 544.

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INSURANCE—VALUE OF PROPERTY — EVIDENCE — COMPETENCY — ACTUAL VALUE.—Where an insurance policy undertakes to pay the value of the insured property at the time and place of the loss, evidence of its value at the time of an invoice thereof made some months previous, and while it was at a different place than where it was, burned, is incompetent, in the absence of further evidence that it was of the same value at that time and place as when and where destroyed, or of evidence showing the comparative value on the two occasions. The actual value of insured property cannot be shown in place of its market value, unless a foundation is laid for such showing. *Ludvick v. Fire Ins. Co.* (Iowa), 104 N. W. 429.

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WILLS—CONSTRUCTION—LIFE ESTATES—POWER OF DISPOSITION.—A will bequeathing to testator's widow all his personal property of every kind and description "to have to hold by her during her life, and at her death the same or whatever remains to be divided between my children equally between them," gives the widow a life estate, with unlimited power of disposition, added as a separate gift; but, if she fails to exercise such power, the remainder upon her death passess to the children. *Webb v. Webb* (Iowa), 104 N. W. 438.